

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

BRANDON RAYMOND BROWN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CIVIL ACTION NO. 1:19-CV-358-ECM
	)	
HOUSTON COUNTY JAIL, et al.,	)	
	)	
Defendants.	)	

**ORDER**

The plaintiff, an inmate currently incarcerated in the Houston County Jail, filed this 42 U.S.C. § 1983 action on May 21, 2019. In this complaint, the plaintiff challenges actions/conditions to which he is subjected while incarcerated in the Houston County Jail and working in the jail's kitchen. However, the plaintiff did not file the applicable filing fee nor did he submit an original affidavit in support of a motion for leave to proceed *in forma pauperis* with the requisite documentation from the inmate account clerk at the Houston County Jail. Thus, the pleadings filed by the plaintiff fail to provide the court with the information necessary for a determination of whether the plaintiff should be allowed to proceed without prepayment of a filing fee in this cause of action. In addition, absent either pre-payment of the requisite fees or granting of *in forma pauperis* status, this case cannot proceed before this court. Accordingly, it is

ORDERED that on or before June 13, 2019 the plaintiff shall file either the appropriate affidavit in support of a motion for leave to proceed *in forma pauperis* accompanied by a prison account statement from the account clerk at the Houston County

Jail showing the average monthly balance in plaintiff's prison account for the 6-month period immediately preceding the filing of this complaint and the average monthly deposits to plaintiff's account during the past six months *or*, if he does not seek *in forma pauperis* treatment, the \$400 filing/administrative fees. The plaintiff is advised that if he currently lacks funds to pay either the filing fee or an initial partial filing fee he will be required to pay the \$350 filing fee from funds which become available to him.

To aid the plaintiff in complying with this order, the CLERK is DIRECTED to furnish him with a copy of the form affidavit used by persons seeking to proceed *in forma pauperis* before this court. The plaintiff is cautioned that if he fails to comply with this order the Magistrate Judge will recommend that this case be dismissed.

DONE this 24<sup>th</sup> day of May, 2019.

/s/ Wallace Capel, Jr.  
CHIEF UNITED STATES MAGISTRATE JUDGE